

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:09-CR-162-1-BR

MICHAEL DOUGHTY WILLIAMS,       )  
  )  
          Petitioner,                       )  
  )  
                  v.                               )  
  )  
UNITED STATES OF AMERICA,       )  
  )  
          Respondent.                       )

ORDER

This matter is before the court on petitioner's motion to reconsider his motion for a reduction of sentence or, alternatively, a motion to vacate his sentence pursuant to 28 U.S.C. § 2255. (DE # 155.) Petitioner contends he is entitled to a sentence reduction based on Amendment 750 to the U.S. Sentencing Guidelines as well as Dorsey v. United States, 132 S. Ct. 2321 (2012), and Appendi v. New Jersey, 530 U.S. 466 (2000). To the extent petitioner requests that the court revisit its 30 May 2014 order denying his motion for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2), the motion is DENIED. To the extent petitioner seeks relief under 28 U.S.C. § 2255, as petitioner has previously filed a § 2255 motion, he must seek authorization from the Fourth Circuit Court of Appeals to file a second or successive § 2255 motion before this court can consider his claims based on Dorsey and Appendi, see 28 U.S.C. §§ 2244(b), 2255(h), and his motion is DISMISSED WITHOUT PREJUDICE. The court finds that petitioner has not made "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). Pursuant to Rule 11(a) of the Rules Governing Section 2255 Proceedings, a certificate of appealability is

DENIED.

This 20 July 2015.

A handwritten signature in green ink, appearing to read "W. Earl Britt", is positioned above a horizontal line.

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W. Earl Britt  
Senior U.S. District Judge